

LEGISLATURE OF NEBRASKA
NINETY-SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 959

Introduced by Robak, 22

Read first time January 10, 2002

Committee: General Affairs

A BILL

- 1 FOR AN ACT relating to the Nebraska Liquor Control Act; to amend
- 2 section 53-179, Reissue Revised Statutes of Nebraska; to
- 3 change provisions relating to hours of sale; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 53-179, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 53-179. (1) No alcoholic liquor, including beer, shall
4 be sold at retail or dispensed on any day between the hours of 1
5 a.m. and 6 a.m. standard time, or, during the period of daylight
6 time prescribed in section 49-1302, between the hours of 2 a.m. and
7 6 a.m. The local governing body of any city or village with
8 respect to area inside the corporate limits of such city or
9 village, or the county board with respect to area outside the
10 corporate limits of any city or village, may by ordinance or
11 resolution require closing prior to 1 a.m., or, during the period
12 of daylight time, 2 a.m., on any day.

13 (2) Except as provided for and allowed by ordinance of a
14 local governing body applicable to area inside the corporate limits
15 of a city or village or by resolution of a county board applicable
16 to area inside such county and outside the corporate limits of any
17 city or village, no alcoholic liquor, including beer, shall be sold
18 at retail or dispensed between the hours of 6 a.m. Sunday and 1
19 a.m. Monday, standard time or daylight time. No ordinance or
20 resolution allowed by this subsection shall permit alcoholic
21 liquor, other than beer and wine, to be sold at retail or dispensed
22 between the hours of 6 a.m. Sunday and 12 noon Sunday, standard
23 time or daylight time. This subsection shall not apply after 12
24 noon standard time or daylight time on Sunday to a licensee which
25 is a nonprofit corporation and the holder of a Class C license or a
26 Class H license issued pursuant to subdivision (5) of section
27 53-124.

28 (3) It shall be unlawful on property licensed to sell

1 alcoholic liquor at retail to allow alcoholic liquor in open
2 containers to remain or be in possession or control of any person
3 for purposes of consumption between the hours of 1:15 a.m. and 6
4 a.m. standard time, or, during the period of daylight time,
5 between the hours of 2:15 a.m. and 6 a.m., on any day. When any
6 city or village provides by ordinance or any county provides by
7 resolution for an earlier closing hour, the provisions of this
8 subsection shall become effective fifteen minutes after such
9 closing hour. ~~instead of 1:15 a.m.~~

10 (4) Nothing in this section shall prohibit licensed
11 premises from being open for other business on days and hours
12 during which the sale or dispensing of alcoholic liquor is
13 prohibited by this section.

14 Sec. 2. Original section 53-179, Reissue Revised
15 Statutes of Nebraska, is repealed.